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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/590,942	06/09/2000	Ari Pine	M-8579 US	3684

7590 10/20/2006
Ari Pine
1578 Gary Street
East Meadow, NY 11554

EXAMINER

POINVIL, FRANTZY

ART UNIT	PAPER NUMBER
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3692

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/590,942

Applicant(s)

PINE ET AL.

Examiner

Frantzy Poinvil

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 75-105 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 75-105 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>10/12/06</u> . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. This application is in condition for allowance except for the following formal matters:

The applicant is advised to make the following changes so as to bring the related claims into allowable form.

75. (Previously Presented) A method performed on a computer for analyzing historical option market data, the method comprising:
storing a plurality of characteristics that define an option and market data for each option in a plurality of options;

determining one or more relative reference value(s) for each option in the plurality of options, said relative reference value(s) calculated using one or more characteristic(s) of the option and one or more external datum(a);

selecting criteria including said relative reference value(s); and
identifying option data in said plurality of options satisfying said criteria.

79. (Previously Presented) The method of claim 78, wherein the step of identifying said option data in said plurality of options satisfying said criteria:

identifies the options having that reference value or
identifies the options in a range of specified reference values or
calculates an interpolated or extrapolated value that satisfies the specified reference value based on relevant option characteristics.

As per claim 80, there is not a previous recitation of “a step of creating a report” being referred in claim 78 on which claim 80 depends on.

81. (Previously Presented) A method performed on a computer for analyzing historical option market data, the method comprising:

storing a plurality of characteristics that define an option and market data for each option in a plurality of options;

a. determining relative reference value(s) for each option based on a formulation of a relationship of the option strike price and the market price of an underlying instrument using a subset of the following: option strike price, option type, exercise style,

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underlying instrument market price, appropriate interest rate, trade date, option expiration date, underlying instrument cash flow projections, volatility, option delta;
selecting criteria including said relative reference value(s); and
identifying option data in said plurality of options satisfying said criteria. - -

85. (Previously Presented) The method of claim 84, wherein the step of identifying identifying option data in said plurality of options satisfying said criteria:
identifies the options having that reference value or
identifies the options in a range of specified reference values or
calculates an interpolated or extrapolated value that satisfies the specified reference value based on relevant option characteristics.

As per claim 86, there is not a previous recitation of "a step of creating a report"
being referred in claim 85 on which claim 86 depends on.

87. (Previously Presented) A method performed on a computer for analyzing historical option market data, the method comprising:
storing a plurality of option characteristics that define an option and market data for each option in a plurality of options where the characteristics include a trade date and an absolute expiration date;
determining a relative reference value for each option corresponding to a relative expiration date based on the trade date and the option expiration date;
selecting criteria including said relative reference value(s); and
identifying option data in the plurality of options satisfying said criteria. - -

90. (Previously Presented) The method of Claim 89, further includes the step of determining the calculated option characteristics comprises determining an implied volatility for each option in the plurality of options.

91. (Previously Presented) The method of claim 90, wherein the step of identifying identifying option data in the plurality of options satisfying said criteria:
identifies the options having that reference value or
identifies the options in a range of specified reference values or
calculates an interpolated or extrapolated value that satisfies the specified reference value based on relevant option characteristics.

93. (Previously Presented) A computer system for historical options market analysis, comprising:
a database for maintaining a plurality of option characteristics that define an option and market data for each option in a plurality of options; and
processing software coupled to the database, the processing software for:
determining one or more relative reference value(s) for each option in the plurality of options, said relative reference value(s) calculated using one or more characteristic(s) of the option and one or more external datum(a);
selecting criteria including said relative reference value(s); and
identifying option data in the plurality of options satisfying said criteria. - -

96. (Previously Presented) The computer system of Claim 95, wherein the processing software is further operable to determine an implied volatility for each option in said plurality of options.

99. (Previously Presented) A computer system for historical options market analysis, comprising:
a database for maintaining a plurality of characteristics that define an option and market data for each option in a plurality of options; and
processing software coupled to the database, the processing software for:
determining a relative reference value for each option based on a formulation of a relationship of said option strike price and the market price of an underlying instrument using a subset of the following: option strike price, option type, exercise style, underlying instrument market price, appropriate interest rate, trade date, option expiration date, underlying instrument cash flow projections, volatility, option delta;
selecting criteria including said relative reference value(s); and
identifying option data in the plurality of options satisfying said criteria.

105. (Previously Presented) A computer system for historical options market analysis, comprising:
a database for maintaining a plurality of characteristics that define an option and market data for each option in a plurality of options; and
processing software coupled to said database, the processing software for:
determining a relative reference value for each option corresponding to a relative expiration date based on the trade date and the option expiration date;
selecting criteria including said relative reference value(s); and
identifying option data in said plurality of options satisfying said criteria.

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106 (Previously Presented) The computer system of Claim 105, wherein the options in said plurality of options are equity options or equity linked securities having embedded options.

107 (Previously Presented) The computer system of Claim 106, wherein the options in said plurality of options are contracts based on a comprehensive set of underlying instruments.

109 (Previously Presented) The computer system of claim 108, includes means for identifying said options having said relative reference value(s) satisfying the reference criteria:
by identifying said options having that reference value or
by identifying said options in a range of specified reference values or
by calculating an interpolated or extrapolated value that satisfies the specified reference value based on relevant option characteristics. - -

110 (Previously Presented) The computer system of Claim 109, includes means for creating reports that have arbitrary mathematical functions of the characteristics of the identified options.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Claims 75-110 are allowable over the art of record.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571) 272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Frantzy Poinvil
Primary Examiner
Art Unit 3692

FP
October 13, 2006